

to the approved plans and conditions.

30. The use and operation of the special exception shall be in conformance with all applicable rules, regulations, and codes including but not limited to building and fire codes, health standards, police and zoning regulations.
31. Conditions shall be mutually interdependent. If any condition is found to be invalid or modified by any court of law, the special exception use will be deemed rescinded and any use of the site dependant upon the special exception approval shall cease.
32. All references to "applicant" or "developer" shall include the owner, the applicant and any developer and their respective successors and/or assigns.
33. Subject to the approval of the Director of Planning and Zoning, the stormwater management areas shall incorporate design elements that integrate them into the fabric of the community as active or passive recreational elements. In particular, the central village green shall be utilized insofar as possible as a natural filtering system in lieu of subsurface engineered architectural water collection and removal system.
34. The applicant is responsible to contain and control sediment during construction. Measures beyond the ordinary shall be utilized; such measures may include but are not limited to compost filters, subdivision of sediment areas, sequential grading, and supersilt fences.
35. Subject to the approval of the State Highway Administration, a temporary construction equipment access from Aris T. Allen Boulevard shall be established and utilized. Remediation will be the responsibility of the applicant.
36. At the time of issuance of each building permit, the applicant shall pay an amount equal to the road impact fee required pursuant to the Forest Drive Agreement

between the City and the County which fees shall be held by the City in escrow pending the negotiation between the City and the County of an extension to the Agreement. If the Agreement is not extended, then the road impact fees shall be returned to the applicant

37. ~~The applicant shall not obtain or be entitled to any use permits of occupancy permits until the planned improvements to widen Forest Drive to four travel lanes in each direction in the area between Aris T. Allen Blvd. and Bywater Road are completed.~~

The decision of the Board is unanimous.  
Adopted this 20<sup>th</sup> day of December 2006.

Christopher L. Beard/Chair

Absent  
Vanessa S. Jones, Vice Chair

Clarence Goldberg

Jamie Gregory

Geoffrey Mitchell

Condition 37

If construction of the Forest Drive Improvements described in the Anne Arundel County "Capital Budget and Program, FY 2007" No. H515200 has not commenced when the building permits are ready to be issued by the City, then the issuance of building permits shall be phased as follows:

- 15 total building permits prior to December 31, 2007
- 25 total building permits prior to March 31, 2008
- 35 total building permits prior to June 30, 2008
- No building permit limit after June 30, 2008.

Certificates of occupancy shall be issued as each dwelling is completed.

## NOTICE

Within thirty (30) days from the date of this decision, any person or persons (including any firm, corporation or governmental agency) aggrieved by any decision of the Board of Appeals may appeal the decision to the Circuit Court for Anne Arundel County. Such appeal shall be taken as specified in Article 66B, Section 4.08 of the Annotated Code of Maryland and in accordance with the Maryland Rules (Title 7, Chapter 2).

Exhibits must be claimed after the time for appeal expires and within sixty (60) days of the date of this decision. If not claimed, exhibits will be discarded.

**Expiration-Extension:** Section 21.24.110 of the Annapolis City Code provides for the Expiration, Extension, Abandonment and Reinstatement of a final Planned Development

## RESIDENTIAL PLANNED DEVELOPMENT CONDITIONS RESPONSES:

1. SITE DESIGN HAS BEEN PERFORMED IN SUBSTANTIAL ACCORDANCE WITH THE ARCHITECTURAL PLANS SHEETS A-1 TO A-9, DATED 12/27/05 AND CIVIL ENGINEERING AND LANDSCAPE ARCHITECTURAL PLANS SHEETS C.1 TO C.13 AND L.1.1 TO L.4.4 DATED FEBRUARY 3, 2014.
2. FINAL ENGINEERING WILL BE SUBMITTED FOR REVIEW AND APPROVAL BY THE DEPARTMENTS OF PLANNING AND ZONING, NEIGHBORHOOD AND ENVIRONMENTAL PROGRAMS AND PUBLIC WORKS WITH THE ULTIMATE GOAL OF THE ISSUANCE OF GRADING AND BUILDING PERMITS.
3. THE RESIDENTIAL PLANNED DEVELOPMENT AND RECORD PLAT ARE IN ACCORDANCE TO ALL THE CONDITIONS NOTED WITHIN ANNEXATION RESOLUTION NO. R-23-04REVISED, ZONED IN ORDINANCE NO. O-34-04REVISED AND RESOLUTION NO. R-13-02 AMENDED AND ZONED IN ORDINANCE NO. O-17-02 AMENDED.
4. IT IS THE INTENTION WITH THIS PLAN AND RECORD PLAT TO BE EXECUTED AND RECORDED IN THE LAND RECORDS OF ANNE ARUNDEL COUNTY, MARYLAND AND COPIES OF THE RECORDED DOCUMENTS TO BE PROVIDED TO THE CITY OF ANNAPOLIS.
5. A PLANT SCHEDULE HAS BEEN PROVIDED ON SHEET L.2.1 AND REFLECTS ALL OF THE VEGETATION PROPOSED TO BE PLANTED ON AND OFF THE SITE. A 5' HIGH METAL FENCE HAS BEEN PROPOSED ALONG THE NORTHERN BOUNDARY ADJACENT TO THE RETAINING WALL TO PROVIDE FALL PROTECTION. THE SAME TYPE OF FENCING IS PLANNED ALONG THE SOUTHERN BOUNDARY AS SHOWN ON SHEETS L.1.2 AND L.1.3. A DETAIL OF THAT FENCE IS SHOWN ON L.2.5.
6. THE DEVELOPER WILL RECORD A LANDSCAPE MAINTENANCE AGREEMENT THAT IS APPROVED BY THE CITY OF ANNAPOLIS PRIOR TO THE ISSUANCE OF ANY PERMITS. THE DEVELOPER WILL REPLACE ANY DEAD LANDSCAPING PRIOR TO THE RELEASE OF THE LANDSCAPE BONDS.
7. AN EXTERIOR LIGHTING PLAN INCLUDING A FIXTURE SCHEDULE IS INCLUDED ON THESE PLANS FOR REVIEW AND APPROVAL BY THE DEPARTMENT OF PLANNING AND ZONING PRIOR TO THE ISSUANCE OF ANY GRADING PERMITS.
8. SITE LIGHTING HAS BEEN DESIGN AT THE APPROPRIATE LEVELS TO ACHIVE PUBLIC SAFETY WITHOUT CREATING EXCESSIVE GLARE OR HIGH INTENSITY.
9. A PLANTING SOILS IMPROVEMENT PLAN HAS BEEN INCLUDED IN THE SET AND IS SHOWN ON SHEET L.2.10. THE PLAN REFLECTS AMENDED SOILS PER THE ARCHITECTURAL GRAPHIC STANDARDS 10TH EDITION.
10. A PAYMENT OF THIRTY DOLLARS PER STREET TREE PROPOSED TO BE PLANTED IN OR ADJACENT TO THE PUBLIC RIGHT-OF-WAY IS INCLUDED WITH THE SUBMISSION TO THE DEPARTMENT OF NEIGHBORHOOD AND ENVIRONMENTAL PROGRAMS.
11. NOT APPLICABLE - PROPOSED STORMWATER MANAGEMENT FACILITIES HAVE BEEN UPDATED AND RE-DESIGNED IN ACCORDANCE WITH ENVIRONMENTAL SITE DESIGN GUIDELINES (MDE SWM MANUAL, CHAPTER 5)
12. PARCEL B HAS BEEN GRADED TO INCORPORATE A BELOW GRADE INFILTRATION TRENCH.
13. INFILTRATION AREA # 3 HAS BEEN DESIGN AS STORMWATER MANAGEMENT AREA THAT ALSO FUNCTION AS A PASSIVE AND RECREATION AREA.
14. THE PROPOSED GRADING HAS BEEN DESIGN SO THAT THE STEPS IN THE FRONT OF THE UNITS HAVE BEEN REDUCED AND LOWERED THE GRADE ON THE DRIVEWAY, THUS ALSO LOWERING THE OVERALL BUILDING UNIT.
15. WE COMPLY WITH THE DEPARTMENT OF NEIGHBORHOOD AND ENVIRONMENTAL PROGRAMS COMMENTS DATED MARCH 14, 2006 AND MARCH 31, 2006.

16. AN INDEMNIFICATION AGREEMENT PER THE DEPARTMENT OF PUBLIC WORKS WILL BE EXECUTED FOR A MUNICIPAL EASEMENT OVER THE PRIVATE ALLEY FOR TRASH COLLECTION.

17. A CONSERVATION EASEMENT IS REQUESTED TO THE CITY OF ANNAPOLIS CONSERVANCY BOARD THAT ENCOMPASS THOSE AREAS OF PARCEL "A" WITHIN THE RESOURCE CONSERVATION CRITICAL AREA, THE ONE HUNDRED FOOT WETLAND AND STREAM BUFFER AND ADJACENT STEEP SLOPE. THE EASEMENT IS NOTED IN THE RECORD PLAT AND WILL BE DETAILED IN A SEPARATE EASEMENT AGREEMENT RECORDED IN THE LAND RECORDS OF ANNE ARUNDEL COUNTY. A FUTURE 100' RIGHT-OF-WAY THAT CROSS OVER SAID EASEMENT IS DEPICTED FOR FUTURE REFERENCE.

18. ALLEYWAY ENTRANCES FROM THE PUBLIC RIGHT-OF-WAY UTILIZE CITY OF ANNAPOLIS STANDARD ROAD DETAIL R4.0 DRIVEWAY ENTRANCE WITHOUT LAWN STRIP.

19. ALL EXTERIOR SIGNAGE FOR THE DEVELOPMENT, INCLUDING WALLS AND FEATURES WILL BE IN ACCORDANCE.

20. PAYMENT TO THE CITY FINANCE DIRECTOR OF ALL APPLICABLE SCHOOL IMPACT FEES ASSESSED BY THE ANNE ARUNDEL COUNTY WILL BE DETERMINED IF APPLICABLE, IN WHICH CASE IT WILL BE MADE PRIOR TO THE ISSUANCE OF ANY GRADING PERMIT.

21. WE WILL COMPLY.

22. THE PLAT, INCLUDING ALL WATER, SEWER, AND TEMPORARY GRADING EASEMENTS HAS BEEN RECORDED.

23. WE WILL COMPLY.

24. WE WILL COMPLY.

25. UNDERSTOOD.

26. ALL LETTERS OF CREDIT OR SURETY BONDS (TO CITY FORMAT) WILL BE SUBMITTED TO THE DEPARTMENT OF NEIGHBORHOOD AND ENVIRONMENTAL PROGRAMS IN THE FULL AMOUNT FOR THE ENTIRE SITE PRIOR TO THE ISSUANCE OF ANY GRADING PERMIT.

27. WE WILL COMPLY.

28. WE WILL COMPLY.

29. UNDERSTOOD.

30. UNDERSTOOD.

31. UNDERSTOOD.

32. UNDERSTOOD.

33. STORMWATER MANAGEMENT FACILITIES HAVE BEEN DESIGNED TO BE INTEGRATED INTO THE LANDSCAPE AREAS ON-SITE.

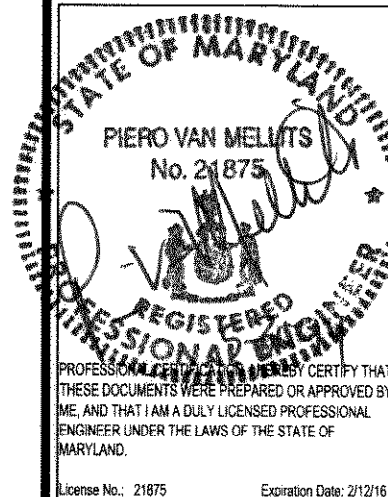
34. THE EROSION AND SEDIMENT PLAN INCLUDES MEASURES TO CONTAIN AND CONTROL SEDIMENT DURING CONSTRUCTION. MEASURES INCLUDED ARE SUBDIVISION OF SEDIMENT AREAS, SEQUENTIAL GRADING AND SUPER SILT FENCE.

35. A TEMPORARY CONSTRUCTION ENTRANCE FROM ARIS T ALLEN BOULEVARD IS PROPOSED AND COORDINATED WITH THE STATE HIGHWAY ADMINISTRATION FOR THEIR APPROVAL.

36. DEVELOPER WILL COMPLY WITH ANY APPLICABLE REQUIREMENTS.



PROJECT  
ARIS T. ALLEN BOULEVARD  
RESIDENTIAL PLANNED DEVELOPMENT  
PART 1 - LOTS 26 - 31, 47 & 48  
6TH ELECTION DISTRICT  
CITY OF ANNAPOLIS, MARYLAND  
TAX MAP/GRID: 51E/8



SHEET TITLE  
GRADING PERMIT NO. GRD 14 - 0006  
PLANNED DEVELOPMENT  
OPINION & RESOLUTION

PROJECT NO. 130003.01  
SCALE AS SHOWN  
DATE 5/30/2014  
DRAWN BY JDS/CLW  
CHECKED BY PVM/TJC

DRAWING NO.  
C3.10  
4 OF 66 SHTS